

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREGORY L. DOWDY,

Petitioner,

No. C 09-03144 WHA

v.

BEN CURRY,

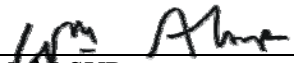
Respondent.

**ORDER RE MOTION FOR
CERTIFICATE OF
APPEALABILITY**

Following the February 26 order denying his Rule 60 motion, petitioner moves for a certificate of appealability on the question of whether he is entitled to equitable tolling due to mental incompetence. Given that our court of appeals has previously granted petitioner a certificate of appealability on that same question, petitioner's motion is **GRANTED**. *Slack v. McDaniel*, 529 U.S. 473, 478 (2000).

IT IS SO ORDERED.

Dated: March 6, 2014.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE